

Remarks & Arguments

In the Office Action, the Examiner noted that Claims 32-40, 42-46, 63-67 and 69-73 are pending in the application, Claims 32-38, 41, 47-62, 68 and 74 are withdrawn, and that Claims 39, 40, 42-46, 63-67 and 69-73 are rejected. By this amendment, Claims 39, 65, 67 and 69 have been amended, and Claims 40, 66 and 72 have been canceled without prejudice. Thus, Claims 32-39, 42-46, 63-67, 69-71, and 73 are pending in the application. The amendments to the claims do not add new matter to the application. The Examiner's rejections are traversed below.

Restriction Requirement

.The Examiner has failed to refute the Applicants arguments concerning generic claims. According, the Examiner has conceded that claims 39, 40, 42-46, 63-67 and 69-73 read on species 1, 2 and 3 and therefore are generic to all three species. In addition, Claims 41, 68 and 74 read on species 2 and 3 and therefore are generic to species 2 and 3.

The Examiner also falsely alleges that "A complete reply to the final rejection must include cancellation of nonelected claims." The Applicants respectfully submit that the nonelected claims need only be withdrawn.

Rejections Under 35 U.S.C. 112, Second Paragraph

Claims 72 stand rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. Claim 72 has been canceled here, thereby rendering the rejection moot.

Rejections Under 35 U.S.C. 102

Claims 39, 42-46, 63-65, 67, 69-71 and 73 stand rejected under 35 U.S.C. 102 as being anticipated by U.S. Patent No. 6,586,817 to Burr.

Claim 39, as amended, recites “a separation well disposed between said plurality of substructures and between said p-type material beneath said deep n-well and above said deep n-well, wherein a doping concentration of said separation well is greater than said p-type material substantially surrounding said deep n well” as disclosed in Figure 1 and the written description at page 8, lines 2-11. In contrast, Burr clearly discloses that the gaps (709, 709A, 709B) in the deep n-well 770 do not include separation wells. Furthermore, Burr clearly discloses that the gaps (709, 709A, 709B) in the deep n-well 770 do not have “a doping concentration ... [that] is greater than said p-type material substantially surrounding said deep n well.” Applicants therefore respectfully submit that Claim 39 is patentable over Burr. Accordingly, Applicants request that the anticipation rejection of Claim 39 be withdrawn and that Claim 39 be allowed. In addition, **Claims 42-46, 63-65 and 67** are allowable by virtue of their dependency on respective base Claim 39, as well as the additional elements they recite. Applicants therefore

also respectfully request that the anticipation rejection of Claims 42-46, 63-65 and 67 be withdrawn and that Claims 42-46, 63-65 and 67 be allowed.

Claim 69, as amended, recites “a separation well of said first conductivity type disposed within one or more of said gaps and coupling said one or more wells of said first conductivity type to said substrate, wherein a doping concentration of said separation well is greater than said one or more wells of said first conductivity type and said substrate” as disclosed in Figure 1 and the written description at page 8, lines 2-11. In contrast, Burr clearly discloses that the gaps (709, 709A, 709B) in the deep n-well 770 do not include separation wells. Furthermore, Burr clearly discloses that the gaps (709, 709A, 709B) in the deep n-well 770 does not have “a doping concentration ... [that] is greater than said one or more wells of said first conductivity type and said substrate.” Applicants therefore respectfully submit that Claim 69 is patentable over Burr. Accordingly, Applicants request that the anticipation rejection of Claim 69 be withdrawn and that Claim 69 be allowed. In addition, **Claims 70, 71 and 73** are allowable by virtue of their dependency on respective base Claim 69, as well as the additional elements they recite. Applicants therefore also respectfully request that the anticipation rejection of Claims 70, 71 and 73 be withdrawn and that Claims 70, 71 and 73 be allowed.

Rejections Under 35 U.S.C. 103

Claim 73 stands rejected under 35 U.S.C. 103 as being obvious in view of the combination of U.S. Patent No. 6,586,817 to Burr and U.S. Patent No. 6,900,091 to Williams. For each of the reasons set forth above, Applicants respectfully submit that independent Claim 69 is patentable over Burr. Williams is cited as teaching “additional wells of first and second conductivity type and a second deep well of second conductivity type such that the additional wells of the first conductivity type are isolated from the substrate by the second deep well.” Thus, Williams does not add anything to the teachings of Burr with reference to Claim 69. In particular, neither Burr nor Williams teach or suggest “a separation well of said first conductivity type disposed within one or more of said gaps and coupling said one or more wells of said first conductivity type to said substrate, **wherein a doping concentration of said separation well is greater than said one or more wells of said first conductivity type and said substrate.**” Applicants therefore respectfully submit that Claim 73 is patentable over Burr in view of Williams based upon its dependency on respective independent Claim 69. Accordingly, Applicants request that the obviousness rejection of Claim 73 be withdrawn and that Claims 73 be allowed.

Conclusion

For all the reasons advanced above, Applicants respectfully submit that the present application is in condition for allowance and that action is earnestly solicited. The Examiner is

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invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

The Commissioner is hereby authorized to charge any additional fees, which may be required for this amendment, or credit any overpayment, to Deposit Account 504160. In the event that an extension of time is required, or may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account 504160.

Respectfully submitted,
MURABITO, HAO & BARNES LLP



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